

M I N U T E S
REGULAR SCHEDULED MEETING OF THE BOARD OF COMMISSIONERS
OF EDGECOMBE COUNTY
DECEMBER 6, 2010 AT 2:00 P.M.
IN THE COMMISSIONERS' ROOM, COUNTY ADMINISTRATIVE BUILDING
TARBORO, NORTH CAROLINA

1. MEETING CALLED TO ORDER AT 2:00 P.M. BY CHAIRMAN LEONARD WIGGINS.

MEMBERS PRESENT: Mr. Leonard Wiggins, Chairman, Mr. Thomas C. Cherry, Mr. Jonathan Felton, Mr. Charlie R. Harrell, Vice-Chairman, Rev. E. Wayne Hines, Ms. Viola Harris and Ms. Evelyn Powell and newly elected Mr. Donald Boswell.

MEMBERS ABSENT: None

OTHERS PRESENT: Mr. Lorenzo Carmon, County Manager, Mr. Mahlon DeLoatch and Ms. Carolyn Hedgepeth, Clerk to the Board.

2. PRAYER

Rev. E. Wayne Hines provided the invocation.

3. MINUTES OF PREVIOUS MEETING PRESENTED FOR APPROVAL

Mr. Felton moved to approve the minutes of the November 1, 2010 meeting as presented. Mr. Cherry seconded the motion which carried by unanimous vote.

4. ADJOURN MEETING

Rev. Hines moved to adjourn the meeting. Mr. Cherry seconded the motion which carried by unanimous vote.

5. SWEARING IN CEREMONY

Ms. Carol Allen White, Clerk of Court came forward to administer the oath of office to Mr. Charlie R. Harrell, Rev. E. Wayne Hines and Mr. Donald Boswell.

6. ELECTION OF OFFICERS – 2011

County Attorney, Mr. Mahlon DeLoatch called the meeting back to order and opened the floor for nominations for Chairman for the year 2011.

Mr. Felton nominated Mr. Leonard Wiggins as Chairman. Rev. Hines seconded the motion. Mr. Harrell moved to close the nominations as presented. There being no further nominations the Board moved to approve the nomination by unanimous vote.

Mr. Felton nominated Mr. Charlie Harrell as Vice-Chairman. Ms. Harris seconded the motion. There being no further nominations the Board moved to approve the nomination by unanimous vote.

Mr. Wiggins thanked the Board for their continued support and confidence. Mr. Harrell also thanked the Board for their support.

7. RESOLUTION IN HONOR OF OUTGOING COMMISSIONER THOMAS C. CHERRY.

Mr. DeLoatch read the Resolution of Appreciation for the sixteen years of service that Mr. Thomas C. Cherry served as an Edgecombe County Commissioner.

Mr. Harrell moved to adopt the resolution as presented. Rev. Hines seconded the motion which carried by unanimous vote.

Mr. Wiggins asked the Board for consensus to allow Mr. Cherry to continue serving on the Transportation Committee. The Board unanimously consented.

Mr. Wiggins called for a five-minute recess to allow greetings and congratulations.

*****FIVE MINUTE RECESS*****

8. PUBLIC HEARING (S):

- (1) Mr. Wiggins called a public hearing in order to receive citizen comments or questions relative to the County's intent to secure a loan not to exceed \$8,000,000.00 to perform renovations on county-owned buildings.

Mr. DeLoatch read the public notice as published.

Mr. Carmon stated that the hearing was called to receive public input prior to the County going to the Local Government Commission for financing approval on the renovations of the Human Services, County Administration and the County Courthouse buildings. He said bid specifications were sent out and scheduled to close on December 21, 2010. He said once the bids were reviewed they will submit the application to the Local Government Commission. He said this hearing was required in case the County needed to seek private sector funding for the projects. He said that the architects of Sinnett-Sinnett were present if the Board had additional questions concerning the project.

Mr. Wiggins called for public comments.

Mr. Bobby Freuler of 1307 Maurice Drive, Tarboro, NC submitted a letter for public record commenting to all Board members against the financing of the project as presented.

No one came forward from the audience.

Mr. Wiggins adjourned the public hearing.

Rev. Hines moved to approve the submission of the loan application as presented. Ms. Powell seconded the motion.

Voting in favor of the motion was Mr. Wiggins, Mr. Boswell, Ms. Powell, Rev. Hines and Ms. Harris. Mr. Felton and Mr. Harrell voted against the motion which carried by majority vote.

9. SCHEDULED APPOINTMENT(S):

- A. North Carolina's Eastern Region's President/CEO, Mr. John Chaffee and Board Chairman Mr. Calvin Anderson were present to update the Board on the Eastern Region's activities.

Mr. Anderson stated that he served as Chairman of the Eastern Region Board of Directors. He said that he and Mr. John Chafee, President and CEO wanted to provide the Board with an update of the activities of the Eastern Region.

Mr. Chaffee, CEO handed out information about the Eastern Region and how they worked with the Gateway Partnership. He explained that the region had collected \$5.00 tax on tags for a 5 year period and those fees were available for grants and loans to the members of the Eastern Region for economic development projects. He said that the Region granted back over ½ of the tag fees over the years.

He commented on the Spirit Aerosystems project in Lenoir County stating that there were companies that serve as suppliers to Spirit that had located to Global Transpark and some that indicated that they wanted to locate companies nearby. He said 10 of the 13 counties in the Eastern Region have some type of aerospace company including Edgecombe County. Workforce

Innovation Network initiative was another goal of the Eastern Region where they had been working with the community colleges in workforce development.

The Board thanked them for the updates and Mr. Harrell asked that they make the reports annually.

B. Request from Food Lion to set aside the 2010 leasehold personal property valuation and assessment.

Mr. Carmon stated that Food Lion had submitted a request for a hearing asking the Board to set aside the 2010 leasehold personal property valuation and assessment. He said Food Lion was appealing the taxation of leasehold improvements to the North Carolina Department of Revenue Property Tax commission and is currently waiting adjudication. He said that no one was present from Food Lion.

He recommended that the request be denied and to wait for the ruling from the Property Tax Commission.

Mr. Boswell asked how long it takes to receive a ruling from the Tax Commission. Mr. Carmon said that since Food Lion was already scheduled with the Tax Commission it should not be long.

Ms. Harris moved to deny the request as presented. Ms. Powell seconded the motion which carried by unanimous vote.

10. PUBLIC PETITIONS:

No petitioners came forward.

11. OTHER BUSINESS:

A. Approval of applications for the Public School Building Capital Fund from Edgecombe County Public Schools totaling \$225,000.00.

Mr. Carmon presented applications for the Public School building Capital Fund from Edgecombe County Public Schools for approval of resurfacing the tennis court at Southwest Edgecombe High School for \$120,000 and the track at Tarboro High School for \$105,000. He said funds were available from the Lottery allocation, which does not require a local match. He recommended approval.

Mr. Felton moved to approve the Public School Building Capital Fund applications as presented. Mr. Boswell seconded the motion which carried by unanimous vote.

B. Budget amendments.

Mr. Carmon highlighted the \$200,000 capital outlay budget amendment to purchase additional vehicles for the Sheriff's department. He said the Sheriff had a high rate of problems with damages of his fleet.

Mr. Felton moved to approve the budget amendments as presented. Rev. Hines seconded the motion which carried by unanimous vote.

C. Approval of a resolution in support of North Carolina's current public alcoholic beverage control system.

Mr. Carmon said the State is considering moving towards privatization of the alcohol beverage control system and the County ABC Board supports keeping the system the way it is.

Ms. Harris moved to approve the resolution in support of the current Public

Alcoholic Beverage Control System. Rev. Hines seconded the motion.

Ms. Harris asked Mr. Carmon to explain the privatization system.

Mr. Carmon explained that the State is considering selling off the rights to sell alcohol to private sector businesses. Mr. Harrell also stated that each County had a large investment in providing facilities for alcohol sales but the State has not had any discussion about reimbursing the County for their properties if they do decide to convert to privatization.

There being no further discussion the motion was approved by unanimous vote.

D. Approval of a drainage easement request from North Carolina Department of Transportation.

Mr. Carmon said the NC Department of Transportation requested a drainage easement from the County on property located on US Highway 258 and Shiloh Farm Road. He said the County through the Hurricane Floyd buyout project acquired the property. He recommended approval.

Rev. Hines moved to approve the drainage easement request as presented. Ms. Harris seconded the motion which carried by unanimous vote.

E. Approval of an engagement letter with Attorney Charles Meeker with Parker Poe, LLC to represent Edgecombe County with property tax appeals.

Mr. Carmon stated that there were six property tax appeals pending with the NC Department of Revenue Property Tax Commission based on Edgecombe County's 2009 property tax assessments. He said that Attorney Charles Meeker with the Parker, Poe Law Firm had represented the County in past property tax appeals and he recommended that the Board approve the engagement letter with Attorney Meeker to represent the County in these matters for an amount not to exceed \$20,000.

Ms. Harris moved to approve Standard terms of Engagement in an amount not to exceed \$20,000 as presented. Ms. Powell seconded the motion which carried by unanimous vote.

F. Approval of contract between Edgecombe County and DBT Consulting to provide services for the tourism development project.

Mr. Carmon stated that the county had received a grant from the Golden Leaf Foundation for \$30,000 to hire a consultant to assist with tourism development. He said request for proposals was published on September 1, 2010 and four had been received. After staff and committee review DBT Consulting was recommended to provide the services. He recommended approval of the agreement with DBT Consulting for an amount not to exceed \$30,000.

Ms. Powell moved to approve the agreement with DBT Consulting in an amount not to exceed \$30,000 as presented. Ms. Harris seconded the motion which carried by unanimous vote.

G. Approval of a proposal for legal services from Tharrington Smith, LLP to develop a voter-redistricting plan.

Mr. Carmon said that Edgecombe County was required to develop and submit a voting redistricting plan for approval by the United States Department of Justice. He said the County was one of the forth North Carolina counties covered by Section 5 of the Voting Rights Act and our plan must be pre-cleared by the United States Attorney General before it can be used. He recommended Tharrington Smith, LLP to complete the plan for the County for \$12,500.

Mr. Harrell moved to approve the agreement with Tharrington Smith, LLP for \$12,500 as presented. Ms. Harris seconded the motion.

Following discussion the Board approved the agreement by unanimous vote.

12. PLANNING BOARD REPORT: ***RECEIVED***

Ms. Ola Pittman, Planning & Inspections Director came forward to present her report.

A. UDO Amendment 10-UDO-31 "Electronic Gaming Operations"

*No action taken.

B. TCO Development Plan for Word of Life International Church on McNair
Road was moving ahead.

C. Update on Grant Project

D. Draft Minutes

E. Next meeting scheduled for December 21, 2010 at 6:00 p.m.

13. APPOINTMENTS:

A. Tarboro/Edgecombe Airport Authority. (1 position)

Rev. Hines moved to reappoint Mr. Brian Mayo. Ms. Harris seconded the motion which carried by unanimous vote.

14. CONTRACTS FOR REVIEW AND/OR APPROVAL.

Mr. Felton moved to approve the contracts of \$50,000 as presented. Rev. Hines seconded the motion which carried by unanimous vote.

15. AFTERLISTS AND RELEASES FOR REVIEW AND APPROVAL.

Mr. Harrell moved to approve the afterlists and releases as presented. Ms. Harris seconded the motion which carried by unanimous vote.

16. DEPARTMENTAL REPORTS FOR REVIEW. ***RECEIVED***

A. Water Services

B. Veteran's Services

C. Pre-trial Release Program

17. MANAGER'S REPORT. ***RECEIVED***

A. Suddenlink.

New rate structure.

B. Federal TANF funds.

Approximately \$528,000 received.

C. Clean Water Management Trust Fund Application
Funding denied.

D. Farm City Breakfast – Tuesday, December 7, 2010 – 7:30 a.m.
East Carolina Agriculture and Education Center

18. COMMISSIONERS' REPORT.

Ms. Harris asked the Board to consider moving the regular scheduled meeting time back to 7:00 p.m. on the 1st Monday night of the month. Mr. Boswell stated that he was in favor of the motion and partly because of the letter submitted from a citizen unable to attend the 2:00 meeting.

Following further discussion, Mr. Harrell moved to change the regular meeting time to 7:00 p.m. on the 1st Monday night of the month beginning with the January 3, 2011 meeting. Rev. Hines seconded the motion which carried by unanimous vote.

Mr. Harrell stated that Tarboro High would be playing in the State Championship and he recommended that the Board honor them with a resolution.

Rev. Hines moved to approve the Resolution in Recognition of the 2010 Tarboro High School Football Team. Mr. Felton seconded the motion which carried by unanimous vote.

The Board asked Mr. Carmon to prepare the resolution and to present it at the game.

19. ATTORNEY'S REPORT.

20. CLOSED SESSION ITEM.

Rev. Hines moved to go into closed session to discuss Economic Development. Mr. Felton seconded the motion which carried by unanimous vote.

Ms. Powell moved to go out of closed session and resume the regular meeting. Mr. Felton seconded the motion which carried by unanimous vote.

Rev. Hines moved to terminate the contract with Environmental Credit Corporation to build a system to capture carbon gas credits due to the weak economy. Mr. Felton seconded the motion which carried by unanimous vote.

21. REV. HINES MOVED TO ADJOURN MEETING UNTIL MONDAY, JANUARY 3, 2011 AT 7:00 P.M. MR. BOSWELL SECONDED THE MOTION WHICH CARRIED BY UNANIMOUS VOTE.

Mr. Leonard Wiggins, Chairman

Ms. Carolyn S. Hedgepeth, Clerk